

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 5155 of 2005

Between:

- 1 Vemulapalli Krishna Murthy @ Krishna S/o. Raghavaiah,
R/o. Ho.No.4-8, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 2 Veeramalla Gopaiah, S/o. Narasaiah,
R/o. Ho.No.1.206, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 3 Modugupurapu Venkata Krishnaiah, S/o. Subbaiah,
R/o. Ho.No.157/B, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 4 Todepu Venkatesam, S/o. Jamalaiah,
R/o. H.No.1.49, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 5 Vemulapalli Venkateswara Rao, S/o. Ramachandraiah,
R/o. H.No.1-41/2, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 6 Nannapaneni Bhaskara Rao, S/o. Gopaiah,,
R/o. Ho.No.4-73/2, Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 7 Chiliveru Venkateswara Rao, S/o. Ankamma,
R/o. Rudravaram Village, Reddygudem Mandal,
Krishna District.
- 8 Yarraguntal Krishna Murthy @ Krishnaiah, S/o. Subbaiah,
R/o. Ho.No.1-28, Rudravaram Village, Reddygudem Mandal,
Krishna District.

..... PETITIONER(S)

AND

- 1 The Secretary, Rudravaram Gram Panchayathi, Reddygudem Mandal, Krishana District.

- 2 The Sarpanch, Rudravaram Gram Panchayathi, Reddygudem Mandal, Krishana District.
- 3 The Divisional Panchayat Officer, Nujiveedu Post and Mandal, Krishna District.
- 4 The District Panchayath Officer, Machilipatnam, Krishna District.
- 5 The Circle Inspector of Police, Mylavaram, Krishna District.
- 6 The Sub-Inspector of Police, Reddygudem Post and Mandal, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to To issue a Writ, order or direction, more particularly one in the nature Writ of Mandamus declaring the action of the illegal acts of the respondents by trying to disconnect the Pnachayat water tap connections of the petitioners with out issueing any notice and without initiating any proceedings and without following due process of law is as illegal, arbitrary and against to the principles of natural justice and pass such other order or orders.

Counsel for the Petitioner:MR.KILARUKHADER BABA

Counsel for Respondent No.1 & 2: Mr. D.Srinivas and Mr. Potti Venkata Ramana Rao

Counsel for Respondent Nos.3 & 4: GP FOR PANCHAYAT RAJ

Counsel for Respondent Nos.5 and 6: GP FOR HOME

The Court made the following :

ORDER:

It is the case of the petitioners that they are the residents of Rudravaram village and they have their own residential houses within the jurisdiction of Rudravaram Gram Panchayat. The Gram Panchayat has got protected water supply to the village through pipe line. As the petitioners' houses were not connected with water pipes, they have paid Rs.1,000/- each to the respondent No.2 on 15-12-2000 and obtained a receipt for the purpose of seeking water tap connection to their respective houses. Though the respondent No.1 has given water tap connection within a week from the payment of the amount and though they are enjoying the Panchayat drinking water

peacefully and uninterruptedly till date, suddenly, due to some political pressures, the respondent Nos.1 and 2 intended to disconnect the tap connections. The respondents have neither issued any notice nor initiated any proceedings under any Act. Therefore, the act of the respondents in seeking to disconnect the tap connections is arbitrary and illegal. However, the respondent No.1 informed that he has directions from respondent Nos.2 to 6 to disconnect the tap connections.

Be that as it may, without going into the merits of the case, the respondents are directed not to disconnect the tap connections, without following the due procedure, as required under the Law. However, this Order will not preclude the authorities from making any demands as to the tap connections, if any, due from the petitioners.

With the above observation, the writ petition is disposed of. No order as to costs.

19th April, 2005

smr

To

- 1 The Secretary, Rudravaram Gram Panchayathi, Reddygudem Mandal, Krishana District.
- 2 The Sarpanch, Rudravaram Gram Panchayathi, Reddygudem Mandal, Krishana District.
- 3 The Divisional Panchayat Officer, Nujiveedu Post and Mandal, Krishna District.
- 4 The District Panchayath Officer, Machilipatnam, Krishna District.
- 5 The Circle Inspector of Police, Mylavaram, Krishna District.
- 6 The Sub-Inspector of Police, Reddygudem Post and Mandal, Krishna District.
7. Two CCs to GP for Panchayat Raj, High Court Buildings, Hyderabad (OUT)
8. Two CCs to GP for Home, High Court Buildings, Hyderabad (OUT)
9. Two CD copies.